

John Taladay (*pro hac vice*)
john.taladay@bakerbotts.com
BAKER BOTTS LLP
1299 Pennsylvania Ave., NW
Washington, D.C. 20004
Telephone: (202) 639-7700
Facsimile: (202) 639-7890

Stuart C. Plunkett (State Bar No. 187971)
stuart.plunkett@bakerbotts.com
Peter Huston (State Bar No. 150058)
peter.huston@bakerbotts.com
BAKER BOTTS LLP
101 California Street, Suite 3600
San Francisco, California 94111
Telephone: (415) 291-6200
Facsimile: (415) 291-6300

*Attorneys for
IRICO GROUP CORP. and
IRICO DISPLAY DEVICES CO., LTD.*

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

NOTICE OF APPEAL

PLEASE TAKE NOTICE that Irico Group Corp. and Irico Display Devices Co., Ltd. (together, “Irico”), defendants in the above-named case, hereby appeal to the United States Court of Appeals for the Ninth Circuit from the order entered in this action on October 29, 2019, denying Irico’s motions to dismiss the claims of the Direct Purchaser Plaintiffs and the Indirect Purchaser Plaintiffs for lack of jurisdiction under the Foreign Sovereign Immunities Act (“FSIA”) (Dkt. 5637). This appeal is taken pursuant to 28 U.S.C. § 1291. *See Cohen v. Beneficial Indus. Loan Corp.*, 337 U.S. 541, 546 (1949) (decisions that “finally determine claims of right separable from, and collateral to, rights asserted in the action” are immediately appealable under § 1291 if “too important” and “too independent” from the merits to delay appellate consideration); *Compania Mexicana de Aviacion, S.A. v. U.S. Dist. Ct. for the C.D. Cal.*, 859 F.2d 1354, 1358 (9th Cir. 1988) (final orders denying foreign sovereign immunity are immediately appealable under the *Cohen* collateral order doctrine).

Dated: November 22, 2019

/s/ Stuart C. Plunkett

Stuart C. Plunkett (State Bar No. 187971)
stuart.plunkett@bakerbotts.com
Peter Huston (State Bar No. 150058)
peter.huston@bakerbotts.com
BAKER BOTT LLP
101 California Street, Suite 3600
San Francisco, California 94111
Telephone: (415) 291-6200
Facsimile: (415) 291-6300

John Taladay (*pro hac vice*)
john.taladay@bakerbotts.com
1299 Pennsylvania Ave., NW
Washington, D.C. 20004
Telephone: (202) 639-7700
Facsimile: (202) 639-7890

*Attorneys for
IRICO GROUP CORP. and
IRICO DISPLAY DEVICES CO., LTD.*